

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

THE STATE OF MISSOURI,
ex rel. ANDREW T. BAILEY, in his official
capacity as Missouri Attorney General,

Plaintiff,

v.

THE PEOPLE’S REPUBLIC OF CHINA,
THE COMMUNIST PARTY OF CHINA,
NATIONAL HEALTH COMMISSION
OF THE PEOPLE’S REPUBLIC OF
CHINA, MINISTRY OF EMERGENCY
MANAGEMENT OF THE PEOPLE’S
REUBLIC OF CHINA, MINISTRY OF
CIVIL AFFAIRS OF THE PEOPLE’S
REPUBLIC OF CHINA, PEOPLE’S
GOVERNMENT OF HUBEI
PROVINCE, PEOPLE’S GOVERNMENT
OF WUHAN CITY, WUHAN INSTITUTE
OF VIROLOGY, and CHINESE
ACADEMY OF SCIENCES,

Defendants.

Case No. 1:20-cv-00099-SNLJ

**PLAINTIFF’S MOTION FOR A CONTINUANCE OF FSIA DEFAULT HEARING AND
FOR LEAVE TO SUPPLEMENT THEIR FSIA HEARING BRIEFING**

Plaintiff the State of Missouri, ex rel. Andrew Bailey, in his official capacity as Missouri Attorney General (“Plaintiff”) hereby respectfully moves (1) for this Court to continue the date of its scheduled FSIA hearing in this case until Monday, January 13 2025; and (2) for this Court to grant Plaintiff leave to file any supplement to Plaintiff’s pretrial FSIA hearing brief on or before Wednesday, January 8 2025. In support of his motion, Plaintiff states as follows:

1. On May 23, 2024, this Court entered a scheduling order in this case. ECF 76. Pursuant to the scheduling order, trial is currently set for two days beginning on December 9, 2024.

2. Pursuant to this Court's October 30, 2024 docket order, Plaintiff submitted his pretrial FSIA hearing brief and combined written evidence on November 22, 2024. *See* ECF 78, 79.

3. Plaintiff respectfully requests a continuance of the start of this Court's FSIA hearing, currently scheduled to begin on December 9, 2024, until Monday, January 13, 2025. Additionally, Plaintiff respectfully requests this Court grant Plaintiff leave to file any supplement to Plaintiff's pretrial FSIA hearing brief on or before Wednesday, January 8 2025.

4. Plaintiff's requested continuance and leave to supplement is reasonable and necessary in light of the complex nature of the facts of this case and the workload of undersigned counsel, which includes numerous ongoing federal and state cases at the trial court level and on appeal. Granting a continuance of the default hearing and leave to supplement will additionally serve the ends of justice, judicial efficiency, and satisfy the purposes of the FSIA. Finally, no party will be prejudiced by this Court continuing the default hearing and granting Plaintiff leave to supplement its FSIA hearing brief. No party besides Plaintiff has appeared and litigated this case, and therefore no party will be prejudiced by Plaintiff's requested continuance and leave to supplement.

5. As each Defendant has been adequately served but failed to appear, each Defendant is in default. Therefore, no Defendant not in default, or who has otherwise entered in this case, opposes this request for a continuance and leave to supplement the pretrial brief.

For the foregoing reasons, Plaintiff respectfully requests that this Court continue the FSIA hearing currently scheduled to begin on December 9, 2024 until January 13, 2024, and respectfully requests that this Court grant Plaintiff leave to file any supplement to its FSIA briefing on or before January 8, 2025.

Date: December 5, 2024

Respectfully submitted,

ANDREW T. BAILEY
Attorney General

/s/ Samuel C. Freedlund
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Attorneys for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on December 5, 2024, a true and accurate copy of the foregoing was electronically filed by using the Court's CM/ECF system to be served on all counsel of record entered in the case.

/s/ Samuel C. Freedlund